

1
2
3
4
5
6
7
8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF CALIFORNIA

10 ROBERT HENRY,

11 Petitioner,

No. CIV S-94-0916 JKS EFB P

12 vs.

13 CHARLES D. MARSHALL,

14 Respondent.

ORDER

15 _____/
16 Petitioner is a state prisoner proceeding without counsel with an application for a writ of
17 habeas corpus. *See* 28 U.S.C. § 2254.

18 An evidentiary hearing was held in this action on April 20, 21, and 23, 2009. On April
19 24, 2009, this court issued an order requiring petitioner to file a post-hearing brief on or before
20 May 21, 2009; requiring respondent to file a responsive brief on or before June 4, 2009; and
21 permitting petitioner to file a response, if any, to respondent's brief on or before June 18, 2009.

22 On April 29, 2009, petitioner filed a request for two copies of the evidentiary hearing
23 transcript. Thereafter, the court promptly requested the transcription service prepare and send to
24 the court an expedited transcript. However, the court did not receive a copy of the transcript
25 from the transcription service until May 18, 2009. Therefore, the briefing schedule set forth in
26 the April 24 order should be modified.

1 Accordingly, it is hereby ORDERED that:

2 1. Petitioner shall file a brief in this action on or before June 11, 2009;

3 2. Respondent shall file a responsive brief on or before June 25, 2009;

4 3. Petitioner shall file a response, if any, to respondent's brief on or before July 9, 2009;

5 4. In light of those deadlines, between now and July 9, 2009, petitioner shall be given
6 preferred legal user status and access to the law library at CSP-Sacramento, CSP-Corcoran, or
7 any other institution at which he is housed; and

8 5. The Clerk of the Court shall mail a copy of this order and the transcript of the April
9 2009 evidentiary hearing to petitioner at the following two addresses: (1) Robert Henry, D32467;
10 California State Prison, Corcoran (3466); P.O. Box 3466; Corcoran, CA 93212-3466, and (2)
11 Robert Henry, D32467; F.S.C. - 131; P.O. Box 290066; Represa, CA 95671.

12 DATED: May 19, 2009.

13 
14 EDMUND F. BRENNAN
15 UNITED STATES MAGISTRATE JUDGE
16
17
18
19
20
21
22
23
24
25
26